Translator's Preface

With the blessed month of Ramadān drawing near, many students and scholars have begun their preparation by reading relevant works and discussions pertaining to Ramadān, among which are issues relating to Salāt al-Tarāwih. Although countless books are available on the topic, many people are asking for a treatise that adequately covers the major and necessary aspects.

For such a need, it would be advisable to read the chapter on Tarāwīh in the monumental work *I'lā' al-Sunan* of 'Allāmah Zafar Ahmad 'Uthmānī, as it is a comprehensive chapter that deals with the relevant discussions pertaining to Salāt al-Tarāwīh. There are numerous discussions found in this chapter that are seldom found in other books, like the proofs for making one complete recital of the Qur'ān in the Tarāwīh prayer.

In view of the benefit and importance of the chapter, it was advised that an English translation be rendered for non-Arabic speaker. In compliance with this advice, we present the following translation, asking Allāh to make it a means of benefit for scholarly and non-scholarly readers alike.

To make the article more reader-friendly, an idiomatic translation was adopted in several places and subtitles were added. In several places where the full name of the author or book was not mentioned, the translator has taken liberties in writing out the complete title.

Muntasir Zaman
Sha'bān, 18, 1435

Chapter on Salāt al-Tarāwīh

By 'Allāmah Zafar Ahmad al-'Uthmānī
Translated by Muntasir Zaman

1. It was narrated from 'Abd al-Rahmān ibn 'Awf that he said: the Messenger of Allāh (peace and blessings be upon him) said:

   Undoubtedly, Allāh Most High enjoined the fast of Ramadān upon you, and I have made it a Sunnah for you to spend its nights in prayer. Whoever fasts in it and spends its nights in prayer out of faith and hope for reward will emerge from his sins like the day his mother gave birth to him.

   Al-Nasa'ī narrated it via a sound chain and remained silent regarding it (308:1).

The words, "I have made it a Sunnah for you to spend its nights in prayer" clearly indicates that spending the nights of Ramadān in worship is a Sunnah, and this refers to Salāt al-Tarāwīh by consensus as al-Kirmānī articulated, which will come later. It is established from this that the basis of spending the nights of Ramadān in prayer is the Sunnah of the Messenger of Allāh (peace and blessings be upon him) and not the Sunnah of 'Umar as some people claim.

The Sunnah of 'Umar is only to congregate behind one Imām, prior to which they would pray in separate groups and tend towards the group with the sweetest voice. Upon this, 'Umar said, "I see that they have treated the Qur'ān as songs. Listen! By Allāh if I were able to, I would change this." Shortly afterwards, he instructed Ubayy to lead them all in prayer.

Al-Bukhārī narrated it in his book, *Khalq Af'āl al-'Ibād*. Ibn Sa'd and Ja'far al-Firyābī narrated it from Nawfal ibn Iyās al-Hudhalī. Its chain is authentic (*Āthār al-Sunan*, 50:2)

In *al-Mughnī*, Ibn Qudāmah mentions:

> The prayer of the month of Ramadān is twenty rak'āt i.e. Salāt al-Tarāwīh, and it is Sunnah Mu'akkadah. The Messenger of Allāh was the first to make it a Sunnah...Tarāwīh was only ascribed to 'Umar ibn al-Khattāb because he

gathered the people behind Ubayy ibn Ka'b, so he would lead them in Salāt al-Tarāwīĥ. (801, 802:1)

Salāt al-Tarāwīh in congregation

2. It is narrated from 'Ā'ishah, the mother of the believers (Allāh be pleased with her) that she said:

   One night, the Messenger of Allāh (peace and blessings be upon him) performed Salāh in the Masjid, so people started to pray behind him. The following night, he also prayed, so the number of people grew. Thereafter, they congregated for the third or fourth night, but the Messenger of Allāh (peace and blessings be upon him) did not come out.

   In the morning, he said, "I saw what you were doing. The only thing that prevented me from coming out was the fear of it being enjoined upon you." This took place in Ramadān.

   Narrated by al-Bukhāri (1:152)

The indication towards praying in Ramadān in congregation with the Messenger of Allāh (peace and blessings be upon him) is clear. These nights refer to the nights of Ramadān, as explained in another narration.

3. It is narrated from Abū Hurayrah (Allāh be pleased him) that he said:

   The Messenger of Allāh (peace and blessings be upon him) would encourage [the Sahābah] to pray during the month of Ramadān without making it obligatory upon them. He would say, "Whoever spends the night of Ramadān in prayer out of faith and hope of reward, all his previous sins will be forgiven. The Messenger of Allāh passed away and the matter remained the same during the reign of Abū Bakr and the beginning of 'Umar's reign.

   Narrated by Muslim (269:1)

The indication towards the virtue of the prayer of Ramadān known as Tarāwīh is evident. The details will be mentioned shortly.

4. It is narrated from Jubayr ibn Nufayr, from Abū Dharr (Allāh be pleased with him) that he said:

> We fasted with the Messenger of Allāh (peace and blessings be upon him) [i.e. in Ramadān], and he did not lead us in prayer until there were seven days left in the month, then he led us in prayer until one third of the night passed. Thereafter, he did not lead us in prayer when six days remained, but led us in prayer when five days remained until half of the night passed.
>
> I said, "O Messenger of Allāh, would that you lead us in prayer for the remainder of the night." He said, "Whoever stands for prayer with the Imām until he finishes, the reward of spending the entire night in worship will be written for him." Thereafter, he did not lead us in prayer until three days remained in the month, and he led us in prayer on the third, and he gathered his family and wives. He led us in prayer until we feared that we would miss *al-Falāh*."
>
> One of the narrators asked, "What is *al-Falāh*." He replied, "*Al-Suhūr*."
>
> Al-Tirmidhī narrated it and said it is Hasan Sahīh. (99:1)

Its indication towards establishing Tarāwīh in congregation from the Messenger of Allāh (peace and blessings be upon him) is clear. Moreover, we learn that he led the congregation by making an announcement, based on the words "he gathered his family and wives, and he led us in prayer until we feared that we would miss *al-Falāh*." This is the premise of those who opine that to perform it in congregation is a Sunnah, in addition to the persistence of the Sahābah to perform it in congregation.

There is no clear narration whether he prayed Tahajjud separately or not. Are they two distinct prayers? Apparently, they are two distinct prayers, as the difference in the chapter titles of the narrations pertaining to the encouragement of praying night prayers (*Qiyām al-Layl*) and the prayers of Ramadān (*Qiyām Ramadān*) indicate. Another proof is that the fast of Ramadān was enjoined in Madīnah by a verse of Sūrat al-Baqarah whilst the Tahajjud prayer was legislated prior to that in Madīnah when Sūrat al-Muzammil was revealed.

However, this is problematized by what al-Bukhāri narrated in the chapter "virtue of he who stands for the prayer of Ramadān" from Abū Salamah ibn 'Abd al-Rahmān:

> He asked 'Ā'ishah (Allāh be pleased with her), "How was the prayer of the Messenger of Allāh in the month of Ramadān?" She replied, "He would not pray more than eleven rak'āt, whether in Ramadān or in any other month..."

In *Fath al-Bārī*, it is mentioned:

> Al-Nawawī mentions that *Qiyām Ramadān* refers to Salāt al-Tarāwīh, that is, what is desired from standing will be acquired by it not that the prayer of Ramadān will not take place without it. Al-Kirmānī strangely expressed, "They are unanimous that *Qiyām of Ramadān* refers to Salāt al-Tarāwīh. (217:3)

Some people say[1]:

> According to me, the correct view is that the two are not distinct except that Tahhajud is more emphasized in Ramadān; understand this and contemplate. To interpret the Hadīth to refer to Tahajjud alone in Ramadān is farfetched."

The poor usage of language in this passage [in Arabic] needs no explanation. It was mentioned earlier that the virtue of ***Qiyām al-Layl*** would be attained by performing the Sunnahs of 'Īshā' and Witr. Thus, to a greater extent it should be attained by the prayer of Ramadān. It appears from the condition of the Messenger of Allāh (peace and blessings be upon him) that he would perform Tahajjud in Ramdān, besides the Tarāwīh prayer, because he would exert himself more in Ramadān as distinguished from other months, as will be discussed later. This is supported by a narration wherein it is mentioned that in Ramadān the Messenger of Allāh (peace and blessings be upon him) would pray twenty rak'āt at night. It is evident that that these twenty were besides Tahajjud.

5. It is narrated from Tha'labah ibn Abī Mālik al-Qurażī (Allāh be pleased with him) that he said:

   One night in Ramadān, the Messenger of Allāh (peace and blessings be upon him) came and saw a group of people performing Salāh in one corner of the Masjid, so he asked, "What are they doing?" Someone replied, "O Messenger of Allāh, they are a people who do not know the Qur'ān, and Ubayy ibn Ka'b

[1] The author mentions in Qawā'id fī 'Ulūm al-Hadīth p.472, "When I say "some people" I am alluding to Muhammad Ahmad Sanbalhi, the author of *Ihyā' al-Sunan*."

is reciting, so they are praying behind him." He said, "They have done a good thing." He did not disapprove of their action.

Narrated by al-Bayhaqī in *Ma'rifat al-Sunan wa 'l-Āthār* and its chain is sound (*Āthār al-Sunan*, 49:2)

This narration clearly points out the approval of the Messenger of Allāh regarding Salāt al-Tarāwīh in congregation. Hence, it is a Sunnah by approval and agreement.

6. It is narrated by Jābir ibn 'Abd Allāh (Allāh be pleased with him) that he said:

In Ramadān, the Messenger of Allāh (peace and blessings be upon him) led them in prayer, and prayed eight rak'āt and Witr…

Narrated by Ibn Hibbān in his *Sahīh*, (*Nasb al-Rāyah*, 293:1)

Its indication towards eight rak'āt of Tarāwīh in congregation and Witr in congregation is evident. More than that has not been explicitly proven from the Prophet via an authentic transmission. During the reign of 'Umar, the matter settled upon twenty rak'āt.

Al-Tirmidhi mentions:

Most of the people of knowledge are upon what has been transmitted from 'Umar, 'Ali, and other Companions i.e. twenty rak'āt. This is the opinion of Sufyān al-Thawrī, Ibn al-Mubārak, al-Shāfi'ī. Al-Shāfi'ī said, "I found the people of my town in Makkah performing twenty rak'āt."

7. It is narrated from al-Sā'ib ibn Yazīd (Allāh be pleased with him) that he said:

From the time of 'Umar, we would pray twenty rak'āt (of Tarāwīh) and Witr.

Narrated by al-Bayhaqī in *Ma'rifat al-Sunan wa 'l-Āthār*, and authenticated by al-Subkī in *Sharh al-Minhāj* (*al-Ta'līq al-Hasan*, 54:2)

In another wording via a different chain it is mentioned:

During the reign of 'Umar, they would pray twenty rak'āt in the month of Ramadān. He said, "They would recite from *al-Mi'īn* (those Surahs that contain approximately one hundred verses) and they would take support from their sticks during the reign of 'Uthmān ibn 'Affān due to length of their prayers.

In *al-Khulāsāh*, al-Nawawī authenticated it. Likewise, Ibn al-'Irāqī in *Sharh al-Taqrīb* and al-Suyūtī in *al-Masābīh* have authenticated it. (*Āthār al-Sunan*, al-*Ta'līq al-Hasan*)

The similarity between this narration and the narration before it is evident as is the following narration.

8. It is narrated from Yahyā ibn Sa'īd that:

   'Umar ibn al-Khattāb instructed a person to lead them in prayer, twenty rak'āt.

   Narrated by Abū Bakr ibn Abī Shaybah in his *Musannaf* via a strong *Mursal* chain. (*Āthār al-Sunan*, 55:2) In *al-Ta'līq al-Hasan* it is mentioned:

   He (i.e. Ibn Abī Shaybah) said: Wakī' narrated to us from Mālik ibn Anas, from Yahyā ibn Sa'īd, and he mentioned the above narration. I say: the transmitters are reliable. However, Yahyā ibn Sa'īd al-Ansārī did not meet 'Umar.

9. It is narrated from 'Abd al-'Azīz ibn Rufay' that he said:

   During Ramadān in Madīnah, Ubayy ibn Ka'b would lead the people in twenty rak'āt of prayer, and he would pray three rak'āt of Witr.

   Narrated by Abū Bakr ibn Abī Shaybah in his *Musannaf* via a strong *Mursal* chain. (*Āthār al-Sunan*, 55:2). In *al-Ta'līq al-Hasan*, it is mentioned:

   He (i.e. Ibn Abī Shaybah) said: Humayd ibn 'Abd al-Rahmān narrated to us from Hasan, from 'Abd al-'Azīz ibn Rufay', he narrated the narration above. I say: 'Abd al-'Azīz did not meet Ubayy.

10. It is narrated from 'Abd al-Rahmān ibn 'Abd al-Qāri' that he said:

    One night in Ramadān, 'Umar and I went to the Masjid, and the people were in separate groups: some were praying individually while another was leading a congregation. 'Umar said, "I feel it would be better if I gathered everyone

> behind one reciter." Thereafter, he was determined, so he gathered them behind Ubayy ibn Ka'b.[2] On another night, I came with him and the people were praying behind their reciter, so he said, "What an excellent innovation. The potion you spend in sleep is more virtuous than the portion you spend in worship." He intended the last portion of the night. The people (in those days) would spend the first portion in worship.
>
> Narrated by al-Bukhārī, (269:1)

This clearly indicates towards Salāt al-Tarāwīh in congregation, and that the most virtuous time is the last portion of the night, although due to an external factor, that is the fear of missing it, it should not be delayed until the last portion of the night, as Ibn 'Ābidīn al-Shāmī quotes from Ibrāhīm al-Halabī from Imdād al-Fattāh (737:1).

In *al-Mughnī*, al-Hāfiż Ibn Qudāmah writes:

> Imām Ahmad was asked, "Do you postpone Salāt al-Tarāwīh until the last portion of the night? He replied, "No, the Sunnah of the Muslims is more beloved to me." (269:1)

11. It is narrated from 'Uthmān al-Nahdī that he said:

> 'Umar called for three reciters and asked them to read. Thus, he appointed the one who recited the fasted to lead the people with thirty verses in every rak'āt, the moderate reciter with twenty-five verses, and the slowest reciter with twenty verses.
>
> Narrated by al-Bayhaqī via his transmission. *('Umdat al-Qārī'*, 598:3) I have not come across its chain of transmission, but it will not be lower than weak. In *Kanz al-'Ummāl*, he (i.e. 'Alī al-Muttaqī) ascribed it to the *Sunan* of Ja'far al-Firyābī.

This narration clearly indicates towards the method of reciting Qur'ān in Tarāwīh. Furthermore, know that according to us, Tarāwīh is Sunnah Mu'akkadah in congregation alongside a completion of the Qur'ān. There is a difference of opinion in this

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[2] Sa'īd ibn Mansūr narrates via the transmission of 'Urwah, from 'Umar, "He gathered the people behind Ubayy ibn Ka'b, and he would lead the men in congregation. Tamīm al-Dāri would lead the women in congregation. Muhammad ibn Nasr narrated in *Kitāb Qiyām al-Layl* via this route, and he mentioned Sulaymān ibn Abī Khaythamah in place of Tamīm al-Dārī. Perhaps this was in two different times. (*Fath al-Bārī*, 219:3)

regard, and this is not hidden from those who are acquainted with the works of Fiqh and '*Umdat al-Qārī*'.

He (i.e. al-Marghīnānī) said in *al-Hidāyah*:

> The most correct view is that it is Sunnah, as Al-Hasan narrates from Abū Hanīfah, because the rightly-guided Khulafā' were persistent upon it, and the Prophet (peace be upon him) explained his reason for not being persistent i.e. the fear of it being enjoined upon us. The Sunnah is in the form of congregation, but communally (*'alā wajh al-Kifāya*), such that if the people of a Masjid refuse to establish it they will be sinners and if some establish it, those who remain back from the congregation are abandoning a virtue, because it is reported from individual Sahābah that they remained back. (131:1)

Al-Tahāwī narrated from al-Mujāhid via an unobjectionable chain that he said:

> A person asked Ibn 'Umar, "In Ramadān, should I pray behind an Imām (i.e. in congregation)?" He said, "Do you recite the Qur'ān?" He replied in the affirmative. Then he said, "Pray in your home." (131:1)

In *al-Mughnī*, al-Hāfiẓ Ibn Qudāmah writes:

> The preferred view of Abū 'Abd Allah (i.e. Imām Ahmad) is to perform it in congregation. [He said according to the report of Yūsuf ibn Mūsā, "Tarāwīh in congregation is more virtuous] and if a person who is considered an example is to pray in his house I fear that people will pray behind him."
>
> It is reported from the Messenger of Allāh, "Follow the Khulafā'." It is reported from 'Umar that he would perform it in congregation. This is the opinion of al-Muzanī, Ibn 'Abd al-Hakam, and a group of Imām Abū Hanīfah's students. Imām Ahmad mentioned, "Jābir, 'Alī, and 'Abd Allāh (Allāh be pleased with them) would perform it in congregation." Al-Tahāwī mentioned, "Whoever wishes to pray individually should ensure that it be done such that the congregation in the Masjid does not break due to it. If it does lead to the congregation in the Masajid breaking, it will not be permissible." A similar opinion has been reported from al-Layth ibn Sa'd.
>
> Imām Mālik and Imām al-Shāfi'ī mention, "To perform the prayer of Ramadān for a person who is strong is more beloved to us, because of what

Zayd ibn Thābit narrated concerning the prayer of the people behind the Messenger of Allāh in some nights of Ramādān:

One night they came, but the Messenger of Allāh did not come out, so they raised their voices and threw pebbles at the door. Then the Messenger of Allāh came out angrily and said, "You continuously did what you were doing until I thought that it was going to be enjoined upon you. Therefore, pray in your homes, as the best of one's prayer is in his home except the obligatory prayers. Narrated by Muslim.

Our evidence is the consensus of the Sahābah on it (i.e. *Salāt al-Tarāwīh* in congregation) and the Hadīth of Abū Dharr concerning the Prophet gathering his companions and family. (Narrated and authenticated by al-Tirmidhi, and it passed in the text)

The statement, "When a congregation prays with the Imām until he completes, they will receive the reward of appending the entire night in prayer" is general, and this Hadīth specifically refers to the prayer of Ramadān. Thus, it will be given precedence over the generality of their proof. Further, the statement of the Prophet (i.e. pray in your homes…) was due to the fear of it becoming obligatory upon them. It was for this reason that the Prophet himself did not continue to pray i.e. due to the fear of it becoming obligatory. Now, this fear does not exist.

If someone objects, "But 'Alī (Allāh be pleased with him) did not join the Sahābah in congregation." We will reply, "It is reported from Abū 'Abd al-Rahmān al-Sulamī that 'Alī did join them in congregation in Ramadān." (It was mentioned earlier that Imām Ahmad affirmed this, and the affirmation of such a personality is evidence) Narrated by al-Athram. (804:1)

In *Kanz al-Ummāl*, with reference to Ibn Shāhīn, it is narrated from Ibn al-Sā'ib that 'Alī (Allāh be pleased with him) led them in prayer in Ramadān. (284:4)

Hereof ('Allāmah al-Kāsānī) the author of *Badā'i' al-Sanā'i'* writes in the chapter on the Sunan of Tarāwīh:

From them (i.e. the Sunan of Tarāwīh) is to perform it in the Masjid in congregation, because whenever the Prophet (peace and blessings be upon him) performed Salāt al-Tarāwīh he did so in congregation in the Masjid. Likewise,

> the Sahābah performed it in the Masjid in congregation. Thus, it will be Sunnah to perform it in the Masjid in congregation.

Thereafter, he mentions the difference of the scholars regarding the type of Sunnah congregation in the Masjid, is it individual Sunnah or communal Sunnah? He then writes:

> Whoever performs it in his home, whether alone or in congregation, will not receive the reward of the Sunnah of Tarāwīh as he abandoned the reward of the Sunnah of the congregation and the Masjid. (288:1)

It is mentioned in *al-Bahr al-Rā'iq*:

> In his Fatāwā under the chapter of Tarāwīh, al-Qādī Khān writes, "The most correct view is that it is impermissible to perform the Sunnahs of Fajr while sitting without an excuse, and it is permissible to perform Tarāwīh while sitting without an excuse. The difference is that the Sunnahs of Fajr is Sunnah Mu'akkadah without any disagreement whereas the emphasis in Tarāwīh is less. (68:2)

Completion of the Qur'ān in Salāt al-Tarāwīĥ

It is mentioned in *al-Hidāyah*, "Most of the scholars are of the opinion that the Sunnah is to complete the Qur'ān one time." (131:1)

Some people object:

> After an extensive search, I have not come across any evidence that supports this be it weak or strong, be it the statement of the Prophet or the statement of a Companion, not even acceptable analogy, which cannot establish a Sunnah. As for the narration of al-Bayhaqī, it only proves that the minimum Sunnah of 'Umar is to complete the Qur'ān twice, because whoever performs Tarāwīh with twenty verses (in each raka'ah) -as 'Umar instructed- then two completions of the Qur'ān will be made in one month if the days are thirty.[3]

[3] In the preface to *Fath al-Bārī*, it is mentioned, "Al-Hākim Abū 'Abd Allāh al-Hāfiż said: Muhammad ibn Khālid informed me: Muqsim ibn Sa'īd narrated to us, he said:
On the first night of Ramadān, the students of Muhammad ibn Ismā'īl al-Bukhārī would gather by him, and he would lead them in prayer reciting in every raka'ah twenty verses. He continued until he completed the Qur'ān. At dawn, he would recite between one-third and half of the Qur'ān. Thus, he would make a completion every three nights. In addition, during the day, he would make a completion of the Qur'ān every day, and the completion would be at the time of Iftār every night. He would say, "After every completion is an accepted supplication."

> Yet, none of our scholars opined that completing the Qur'ān twice is a Sunnah, so Allāh knows best what their evidence is for it being a Sunnah.
>
> In '*Umdat al-Qārī*' it is mentioned, "Al-Hasan transmitted from Abū Hanīfah that Tarāwīh itself is Sunnah and cannot be abandoned. Sadr al-Shahīd says, "This is the correct view." (598:3)

This indicates that the issue in reference has not been transmitted from the Imām of the *madhhab*. The above statement of the author of *al-Hidāyah* "Most of the scholars are of the opinion…" indicates towards this as well, as he did not ascribe this to the Imām of the *madhhab* or to his two students (i.e. Imām Abū Yūsuf and Imām Muhammad).

As for the following quotation of *al-Nihāyah* cited in the marginalia of *al-Hidāyah:*

> Some people are of the opinion, which is the view of Imām Abū Hanīfah transmitted by al-Hasan, he should recite ten verses in every raka'ah, and this is the correct opinion

There is no indication therein that it is Sunnah according to the Imām, it is only consultation and advise (how much should be read). Further, the author of ***Rahmat al-Ummah*** (i.e. Abū 'Abd Allāh al-Dimashqī) did not relate this issue from any of the four Imāms.

In *Rasā'il al-Arkān*, Bahr al-'Ulūm writes:

> It is Sunnah to complete the Qur'ān once in Tarāwīh, and anything over and above that is virtuous. The general practice has come down like this from the era of Amīr al-Mu'minīn, 'Umar, until now. The jurists of the four schools of thought have unanimously agreed upon these rulings. (p. 139)

If the quotation were authentic, it would serve as an evidence for the objective.

Their evidence in this issue is what has passed from Tha'labah al-Qurażī:

> One night in Ramadān, the Messenger of Allāh came and saw people in one corner of the Masjid praying, so he said, "What are they doing?" Someone replied, "O Messenger of Allāh, they are a people who do not possess the Qur'ān, and Ubayy ibn Ka'b is reading and they are praying with him." He said, "They have done well…"

There is an indication therein that their gathering for the prayer of Ramadān was only for the completion of the Qur'ān. This is because the statement "they are a people who do not have the Qur'ān" does not mean that they were unable to recite the required amount for the validity of Salāh, as that is highly unlikely from the Sahābah, who resided in Madīnah. Rather, it means that they did not know the entire Qur'ān.

Ibn Manī' narrates via his transmission from Ubayy ibn Ka'b:

> 'Umar ibn al-Khattāb instructed him to lead the congregation at night in Ramadān, and he said "Undoubtedly, the people fast during the day, and they are not good at reciting, so you should recite for them at night (i.e. in prayer)." He replied, "O Amīr al-Mu'minīn, this is unprecedented." 'Umar said, "I know, but it is good." Thus, he led them in twenty rak'āt. It is mentioned in *Kanz al-'Ummāl* without the chain, but it is not lower than weak.

There is also an indication therein that the purpose of congregating for Tarāwīh is for the recitation of the Qur'ān. It is incorrect to interpret "they are not good at reciting" as a complete negation of being able to recite well, for the reason mentioned above. Thus, it is necessary to interpret it as we have interpreted it: "Individually they are unable to complete the Qur'ān, so if you recite for them at night, and you are the best reciter, one completion will take place for all the people."

In addition, it was mentioned earlier that during the reign of 'Umar, they would pray twenty raka'ah in Ramadān, and would recite from the *Mi'īn* (i.e. those Sūrahs that contain approximately one hundred verses). During the reign of 'Uthmān, they would take support from their sticks due to the length of the prayer. After this, is it possible to assume that they would not make a completion of the Qur'ān despite enduring such difficulty, and abandon the virtue of completing the Qur'ān despite the Imām being a Hāfiż? Never! There is no scope for such an assumption besides an assumption that stems from a mere rational estimation, which has no place in this discussion.

Therefore, it is proven that completing the Qur'ān in the prayer of Ramadān is Sunnah based on the persistence of the Sahābah upon it during the reign of 'Umar and 'Uthmān (Allāh be pleased with them).

As for the objection of some people regarding the narration of al-Bayhaqī from Abū 'Uthmān al-Nahdī, "'Umar summoned three reciters and asked them to recite…"

that it indicates towards the minimal Sunnah of 'Umar being the completion of the Qur'ān twice, which none of our scholars opine.

The answer is that the narration is not void of an indication towards the completion of Qur'ān being a Sunnah; otherwise, 'Umar would not summon the reciters and ask them to recite. Moreover, he would not differentiate between the fastest, moderate, and slowest reciters, but would instruct them not to pay attention to completing the Qur'ān, and to suffice on a recitation that would be easy for the congregation. How could it be assumed that 'Umar would go to such lengths, summon the reciters, and stipulate their respective amounts, yet the completion of the Qur'ān would not be a Sunnah and remain only as a voluntary act? It is evident that such care and particularity will not be given to a solely voluntary act.

As for the claim that it indicates towards two completions of the Qur'ān, there is no such indication in this report until it is proven that 'Umar (Allāh be pleased with him) instructed them to recite thirty, twenty-five, and twenty verses in every night of Ramadān, from the beginning to the end. There is no such proof, as the narration is silent regarding that. It is possible that he gave them that instruction because he knew that the completion would not take place with a recitation below twenty verses due to the remainder of the nights being few. This is because in the year he gathered the people, 'Umar did not gather them behind one Imām from the first night. Rather, in light of the narration mentioned in the text, and what we mentioned in the commentary, he gathered them many days after.

It is mentioned in *al-Mudawwanah al-Kubrā:*

> Imām Mālik said, "Completion of the Qur'ān in Ramadān is not a Sunnah for the prayer." Regarding the completion of the Qur'ān in Ramadān in Tarāwīh, Rabī'iah mentions that it is not Sunnah. If a person leads a congregation with only one Sūrah until the end of the month, it will be sufficient, for I have seen such people leading the people in congregation who did not memorize the entire Qur'ān. (194:1)

This means that completing the Qur'ān is not a Sunnah Mu'akkadah like al-Tarāwīh, which does not negate it being a Sunnah. It will suffice us to mention what Ibn Wahb narrates from 'Abd Allāh ibn 'Umar ibn Hafs (al-'Umarī who is from the transmitters of *Sahīh Muslim* and the four Sunan works, and is sound in his narrations):

> Many people informed me that 'Umar ibn 'Abd al-'Azīz instructed the reciters to carry that out and recite ten verses in every raka'ah.

This is similar to consensus. Thus, it is proven that the Sunnah is to recite ten verses in every raka'ah of Tarāwīh. This is also the view of Imām Abū Hanīfah transmitted by al-Hasan, as mentioned earlier. There is no consensus in praying thirty-nine due to the difference of the people of Makkah and the cities of the Muslims in that, as the majority of cities would pray twenty-three besides the people of Madīnah.

Resting in between the Tarwīhahs

In *al-Hidāyah* it is mentioned:

> The recommended duration of sitting between two *Tarwīhah* (sets of four raka'ah) is the duration of one *Tarwīhah*. Likewise, between the fifth *Tarwīhah* and Witr, due to the practice of the people of the two Harams.

In *Fath al-Bārī*, al-Hāfiż Ibn Hajar writes:

> Al-Tarāwīh is the plural of Tarwīhah, and a single event of resting, just like Taslīmah from Salām. The prayer in congregation during the nights of Ramadān is called Tarāwīh because the first time they gathered for Salāt al-Tarāwīh they would rest in between the two Taslimahs (two sets of Salāms i.e. four rak'āt).
>
> Muhammad ibn Nasr penned two chapters concerning the prayer of the night: one for those who preferred voluntary prayers between the two *Tarwīhah*, and the second for those who disliked it. He reported from Yahyā ibn Bukayr, form al-Layth that they would rest the duration a person could pray so many rak'āt.

In *Kanz al-'Ummāl*, it is mentioned from Zayd ibn Wahb that he said:

> In Ramadān, 'Umar would let us rest (i.e. between the two Tawīhah) the duration a person would take to go to *Sala'* from the Masjid. Narrated by al-Bayhaqī in his *Sunan*, and he said, "This is how he said it. Perhaps he meant the one who led the congregation under the order of 'Umar."

I have not come across the chain, but it will not be lower than weak. Al-Layth who is mentioned is Ibn Sa'd a reliable, accurate, jurist, and a renowned Imām from the senior Tābi'ūn except that the incident has not been mentioned with a *sanad*.

Some people say:

> Whatever the case may be, unconditional *Istihbāb* (of *Tarwīhah*) cannot be proven based on what has been mentioned, because the purpose (of *Tarwīhah*) is to rest, and not every Imām is in need of it, particularly in between the two Taslīmah's unless it is said that the need to stipulate a general principle demands that.
>
> Furthermore, our scholars opined that it should be after every four rak'āt, because in *al-Kifāyah* it is mentioned "In this situation, Tarwīhah refers every four rak'āt." There is no proof for this specification. As for the usage of Tarwīhah for four, it is mentioned in a weak report of al-Bayhaqī.

Al-Bayhaqī has classified this report as weak. However, al-Hāfiż Ibn al-Turkumānī retorts:

> Most likely the weakness stems from the narrator, Abū Sa'd Sa'īd ibn al-Marzubān al-Baqqāl, as he is criticized. If this is the case, then others have corroborated him in this report. Ibn Abī Shaybah says: Wakī' narrated to us from al-Hasan ibn Sālih, from 'Amr ibn Qays, from Abū al-Hasnā' that 'Alī (Allāh be pleased with him) instructed a person to lead them in congregation in Ramadān, twenty raka'ah.
>
> I think 'Amr ibn Qays is al-Malā'ī; Ahmad, Yahya, Abū Hātim, Abū Zur'ah, and others have regarded him reliable. Muslim narrated from him after which he mentioned a Hadīth with al-Mughīrah ibn Ziyād in its chain, and he said, "He is not strong." I say: He classified him as weak in the chapter on abandoning *Qasr*. In the chapter on vinegar from wine, he said, "He has inadmissible narrations; Ibn Ma'īn and others have regarded him as reliable." Al-Bayhaqī did not mention any of this. (208:1)

In addition, al-Haythamī [d. 807 AH] regarded al-Baqqāl as reliable in *Majma' al-Zawāid*, he said:

> He is a reliable *Mudallis*. Abū Usāmah said: Sa'īd ibn al-Marzubān narrated to us and he is reliable. Abū Zur'ah said, "He is lenient in Hadīth and a *Mudallis*.

> It was asked, 'Is he truthful?' He replied, 'Yes, he would not lie.' Shu'bah, both the Sufyāns, al-A'mash and others narrated from him, and Shu'bah only narrates from reliable narrators.

Thus, he is sound in Hadīth and others have corroborated him, so the report will gain strength.

In *al-Ta'līq al-Hasan*, al-Nīmawī pointed out a defect in the Hadīth, "the pivot of the Hadīth is Abu 'l-Hasnā' and he is unknown."

How could he be unknown when Sharīk narrates from him in (*Sunan* of) Abū Dāwūd and in (*al-Sunan al-Kabīr* of) al-Bayhaqī, and 'Amr ibn Qays narrates from him in (*al-Musannaf* of) Ibn Abī Shaybah. Abū Dāwūd remained silent about him, and al-Mundharī in *al-Talkhīs* (i.e. remained silent as well) and only pointed a defect in the Hadīth looking at the narrators, Hanash and Sharīk, and did not criticize him (i.e. Abu 'l-Hasnā') at all, as is evident from *al-'Awn* (*al-Ma'būd* 50:2).

In light of the above, there is no doubt regarding Tarwīhah being recommended after four rak'āt, because 'Alī instructed that, and al-Hāfiż affirms that the first time the Sahābah gathered for Tarāwīh they would rest between every two Taslīmahs and the affirmation of such a personality is evidence. Al-Bayhaqī narrates from Abu 'l-Khusayb, he said, "In Ramadān, Suwayd ibn Ghafalah would lead us in prayer. He would pray five Tarwīhah, twenty rak'āt"; its chain is sound. Abū Bakr ibn Abī Shaybah narrates from Sa'īd ibn 'Ubayd that 'Alī ibn Rabī'ah would lead them in five Tarwīhah, and would make three rak'āt"; its chain is authentic. *Āthār al-Sunan*, (56:2)

In *al-Ta'līq al-Hasan*, it is mentioned:

> In his *Musannaf*, Ibn Abī Shaybah narrates: Ghundar narrated to us, from Shu'bah, from Khalaf, from Rabī'-he praised him abundantly- from Abu 'l-Bakhtarī that in Ramadān, he would pray five Tarwīwah and three rak'āt of Witr. In this chain is the narrator Khalaf; I do not know who he is.

It is not necessary to know him, because Shu'bah only narrates from reliable transmitters. My assumption is that he is Khalaf ibn al-Hawshab who is reliable and from the sixth category, as mentioned in *Taqrīb al-Tahdhīb* (p. 53). Shu'bah narrated from him, as mentioned in *Tahdhīb al-Kamāl* (p. 149). The remaining transmitters are all reliable. Thus, the report is sound.

These reports show the persistence of the senior Tābiʿūn (Allāh be pleased with them) upon five Tarwīhah in Salāt al-Tarāwīh, in particular Suwayd ibn Ghafalah as he was a Mukhadram, accepted Islām during the life of the Prophet (but never met him). They could have only taken it from the Khulafā' and the eminent Sahābah. Moreover, this supports the report of Zayd in Wahb that 'Umar would let them rest in Ramadān i.e. between the Tarwīhah, because the concurrence of the practice and verdicts of the jurist with a Hadīth is an indication of its authenticity, as we mentioned in the introduction.

This is sufficient to prove that it is a recommended practice, particularly when the practice carried on until the era of the Mujtihds; thereafter, the difference took place among them concerning whether voluntary prayers in between the Tarwīhah is reprehensible or not. Thus, Ibn al-Qāsim said:

> I asked Imām Mālik regarding voluntary prayers in between the two Tarwīhah, so he replied, "There is no problem provided he makes rukūʿ, sajdah, and salām." Ibn Wahb mentions, from Ibn Lahīʿah, from Ibn al-Hādī who said, "I saw 'Āmir ibn 'Abd Allāh ibn al-Zubayr, Abū Bakr ibn Hazm, and Yahyā ibn Saʿīd pray between the sets. ***Al-Mudawwanah*** (195:1).

In *al-Mughnī*, Ibn Qudāmah writes:

> Abū 'Abd Allāh (i.e. Imām Ahmad) disliked voluntary prayers between Tarāwīh. He said, "Regarding this there is support from three Companions of the Prophet (Allāh be pleased with them): 'Ubādah, Abū al-Dardā', and 'Uqbah ibn 'Āmir." It was mentioned to him that there is concession from some of the Companions, so he said, "This is baseless. It is only reported from al-Hasan and Saʿīd ibn Jubayr. Imām Ahmad said, "Voluntary prayers should be made after the obligatory prayer, not between Tarāwīh."
>
> Al-Athram narrated from Abū al-Dardā' that:
>
> He saw a group of people praying in between Tarāwīh, so he said, "What kind of prayer is this? How can you pray while your Imām is in front of you? The one who turns away from our path is not from us. He also said, "From the deficiency of one's intelligence is to assume that he is in the Masjid but not in prayer."

> …Abū Dāwūd said, "Imām Ahmad was asked about a people who prayed five Tarwīhah without resting in between. He replied, "There is no problem." (805:1)

This is an indication that it is undesirable (*Khilāf al-Awlā*).

In *Badā'i' al-Sanā'i'*, under the chapter on the Sunan of Tarāwīh it is mentioned:

> From the Sunan of Tarāwīh is that the Imām should rest between two Tarwīhah the duration of one Tarwīhah and say Subahānallah, La ilāha Il-lahhah, Allāhu Akbar, and send salutations upon the Messenger of Allāh. He should also wait after the fifth Tarwīhah for the duration of one Tarwīhah. This was passed down from the *Salaf*.
>
> As for resting after five Taslīmah, some opine that it is recommended while others say that it is not recommended and this is the correct view as this practice is contrary to the practice of the *Salaf*.

By "*Salaf*" he means the Sahābah and the Tābī'ūn (Allāh be pleased with them).

The correct number of rak'āt

In *Fath al-Qadīr*, Ibn al-Humām debates whether twenty rak'āt is Sunnah wherein he says:

> In light of the above, we learn that the prayer of Ramadān is Sunnah with eleven rak'āt and witr in congregation. The Messenger of Allāh did this after which he abandoned it due to an excuse, which indicates that were it not for that fear he would have continued with them. Since that that fear no longer exists, it will be Sunnah.
>
> Moreover, it being twenty rak'āt is the Sunnah of the rightly-guided Khulafā'. The statement of the Messenger of Allāh, "Hold firm to my Sunnah and the Sunnah of the rightly-guided Khulafā'" is only is an encouragement to their Sunnah and does not necessitate that it (Twenty rak'āt) is Sunnah, because his Sunnah is what he himself adheres to except for an excuse. Assuming that excuse is absent, we derive that he would have persisted on what had transpired, and that is what we mentioned. Therefore, twenty will be recommended, and that amount will be Sunnah.

Some people say:

> According to me, this is the correct view, and the statement of the author of *al-Hidāyah*, "because the rightly-guided Khulafā' were punctual upon it" is clearly incorrect. This is because Abū Bakr (Allāh be pleased with him) did not pray twenty rak'āt neither did he pray Tarāwīh in congregation. As for 'Umar and 'Uthmān (Allāh be pleased with them) it is not proven that they prayed twenty rak'āt in congregation. Yes, 'Umar (Allāh be pleased with him) assembled the people for that, and it is not proven from 'Uthmān and 'Alī (Allāh be pleased with them) that they objected to it, so it will be taken as approval from them.
>
> As for the statement of al-Tirmidhī reported from 'Alī and 'Umar, the report of 'Umar was mentioned in the text, and the report of 'Alī is what is mentioned in *Kanz al-'Ummāl* from Abu 'l-Hasnā' that Alī ibn Abī Tālib instructed a person to lead the people in five Tarwīhah, twenty rak'āt. Al-Bayhaqi narrated it and classified it weak.

This is an innovated stance that contravenes consensus, as the four Imāms who are followed in matters of religion have differed regarding the number rak'āt that is Sunnah with two views. According to Imām Abū Hanīfah, Imām al-Shāfi'ī, and Imām Ahmad it is twenty rak'āt, and it is narrated from Imām Mālik that Tarāwīh is thirty-six rak'āt, as mentioned in *Rahmat al-Ummah* (p. 23).

When the ummah differs concerning one issue in any era, it will be regarded as consensus that all other views are invalid, and it is impermissible for those afterwards to form a separate view; this is expressly mentioned in *Nūr al-Anwār* (p. 223) among other books of 'Usūl al- Fiqh. Without a doubt, not a single Imām held the view that Ibn al-Humām mentioned. Rather, they all are unanimous that it should be twenty, except that Imām Mālik increased an additional eleven rak'āt. However, no one has decreased the number. Thus, whoever says that the Sunnah is eleven rak'āt and the remainder is merely recommended, his statement is refuted by the consensus before him.

This is in spite of the fact that the statement of Ibn al-Humām is invalid in light of textual and rational proofs.

As for the rational proof, this is because he premised his conclusion on the Sunnah being what the Messenger of Allāh (peace and blessings be upon him) himself was persistent upon, and regarded what the rightly-guided Khulafā' were persistent upon

only a recommended act, which is contrary to the position of the verifiers and experts from the jurists and theoreticians. The is because according to them the Sunnah is what the Messenger of Allāh or the rightly-guided Khulafā' were persistent upon, due to them (i.e. the jurists and theoreticians) clearly stating that twenty rak'āt of Tarāwīh in congregation is Sunnah based on their (i.e. the Rightly Guided Khulafā') persistence upon that.

The statement of the Prophet, "Hold firm unto the Sunnah of the Rightly Guided Khulafā'; hold unto it with your molars" supports this. Al-Tirmidh narrated it and said, "This narration is Hasan Sahīh." The word "Hold firm (*'alaykum*)" lexically indicates towards obligation, and linguistically the *Ma'tūf* will share the same ruling as the *Ma'tūf 'alayh*. Thus, it is proven that the obligation of the Sunnah of the Rightly Guided Khulafā' is similar to the obligation of the Sunnah of the Messenger of Allāh, so it is incorrect to differentiate between them by classifying one as Sunnah and the other as recommended, because a recommended action cannot be obligatory.

Furthermore, the words of the Prophet, "hold unto it with your molars" refers to both Sunnahs and proves the necessity of adhering to them equally. In addition, if it were only encouraging the adherence of the Sunnah of the Khulafā', there would be no reason to specifically mention their Sunnah, because it is recommended to adopt the Sunnah of all the Sahābah due to the narration of 'Umar ibn al-Khattāb from the Messenger of Allāh (peace and blessing be upon him):

> I asked my lord about the differences of my companions after me, so He revealed to me, "O Muhammad, undoubtedly your companions in my sight are similar to the stars in the heavens: some are brighter than others, and each one contains light. Whoever adheres to any view from their difference, in my sight he is upon guidance." Narrated by Razīn, as mentioned in *al-Mishkāh* (p. 473).

It is evident that the Messenger of Allah encouraged us to follow the Sunnah of the Khulafā', in particular the Sunnah of Abū Bakr and 'Umar, such that he did not encourage to follow the Sunnah of the other Sahābah in a similar manner.

It would be more appropriate if Ibn al-Humām said that the Sunnah Mu'akkadah in the prayer of Ramadān is twenty-three rak'āt and eleven of those rak'āt are more

emphasized based on the reasons we have mentioned above, because some Sunnah Mu'akkadah are more emphasized than others are.

Asad ibn 'Amr related from Abū Yūsūf that he said:

> I asked Abū Hanīfah regarding Tarāwīh and the action of 'Umar (Allāh be pleased with him). He said, "Tarāwīh is Sunnah Mu'akkadah. 'Umar did not invent it himself and he is not an innovator in that. He only gave instructions due to a basis according to him and precedence from the Messenger of Allāh (peace and blessings be upon him). *Marāqi 'l-Falāh* quoting *al-Ikhtiyār*, (p. 239).

There is an indication in this passage that Tarāwīh is Sunnah Mu'akkadah in the manner instructed by 'Umar and that is twenty rak'āt.

(Ibn al-Humām's conclusion is invalid) in light of transmitted evidence, as the basis of his conclusion is the report Abū Salamah ibn 'Abd al-Rahmān:

> I asked 'Ā'ishah (Allāh be pleased with her), "How was the prayer of the Messenger of Allāh in Ramadān?" She replied, "He would not exceed eleven rak'āt, in and out of Ramadān."

Ibn al-Humām interpreted the Hadīth that eleven was the total number (of rak'āt) of his prayer at night, in and out of Ramadān. The reality is that it refers to the total number of rak'āt of Tahajjud not the number of all the prayer of the night, because we learn from authentic narrations that the prayer of the Messenger of Allāh would increase in Ramadān. 'Ā'ishah (Allāh be pleased with her) says:

The Messenger of Allāh would exert himself more in Ramadān as distinguished from other months.

Narrated by Muslim, as mentioned in the Fatāwā of 'Abd al-Hayy al-Lakhnawī

She also mentions:

> During the (last) ten days of Ramadān, the Prophet would tighten his waist belt (i.e. exert himself or stay away from his wives), remain awake at night, and keep his family awake.
>
> Narrated by al-Bukhārī as mentioned in *Fath al-Bārī*. (234:4)

To keep remain awake during the night by prolonging eleven rak'āt is far-fetched due to the difficulty in doing so and the length duration of standing. It is more likely that he would remain awake during the night in excessive prayers. This is substantiated by the narration of al-Bayhaqī in *Shu'ab al-Imān* from 'Ā'ishah:

> When Ramadān would commence, the Prophet would tighten his waist belt and would not return to bed until the culmination of the month. The chain of this narration is sound.

She also mentions:

> When Ramadān would commence, his color would change, his prayers would increase, he would supplicate in humility, and his complexion would become pale, as mentioned in *al-'Azīzī*, (127:3).

Although these narrations do not explicit mention the number (of rak'āt) of his prayer in Ramadān besides Tahajjud, they do show that the prayer in the nights of Ramadān were more. Thereafter, we came across the narration of Ibn Abī Shaybah in his *al-Musannaf*:

> Yazīd ibn Hārūn narrated to us, he said: Ibrāhīm ibn 'Uthmān informed us from al-Hakam, from Miqsam, from Ibn 'Abbās that in Ramadān, the Messenger of Allāh (peace and blessings be upon him) would perform twenty rak'āt of Tarāwīh and Witr. Narrated by al-Kashshī in his *al-Musnad*, al-Baghawī in his *al-Mu'jam*, al-Tabrānī in his *al-Kabīr*, and al-Bayhaqī in his *al-Sunan*, as it is mentioned in *al-Ta'līaq al-Hasan*.
>
> All the narrators are reliable except Ibrāhīm ibn 'Uthmān, the grandfather of Abū Bakr ibn Abī Shaybah; the vast majority has classified him weak. Ibn 'Adī mentions, "He has suitable narrations, and he is better than Ibrāhīm ibn Abī Hayyah. Yazīd ibn Harūn, who was responsible for documenting his rulings while he was a judge, mentions, "During his era, no one judged between people more fair than him."

There is a difference of opinion regarding Ibrāhīm ibn Hayyah, and he is sound in his narrations. 'Uthmān al-Dārimī relates from Yahyā ibn Ma'īn, "He is trustworthy, a shaykh." *Lisān al-Mizān*, (53:1). Thus, he (i.e. Ibrāhīm ibn 'Uthāmn) who is better than him (i.e. Ibrāhim ibn Hayyah) is not below "a narrator regarding whom there is a difference of opinion, and his narrations are sound." Moreover, it is explicit in

what the authentic narrations mention concisely in that the Prophet (peace and blessings be upon him) would pray more in Ramadān.

As for the statement of Ibn al-Humām, "This report is weak due to Abū Shaybah Ibrāhīm ibn 'Uthmān, whose weakness is unanimously agreed upon in addition to its conflicting with authentic narrations" it is invalid based on what we mentioned i.e. Ibn 'Adī gestured towards his reliability and preferred him over such a narrator who is sound in his narration in light of their principles.

Even if we accept its weakness, Ibn al-Humām himself mentioned that when a weak narration is consolidated by factors that indicate towards its authenticity, it would be authentic. Thereafter, by way of illustration, he mentioned that the practice of and view of Abū Hurayrah being the permissibility of sufficing on washing three times a utensil from which a dog drank shows the authenticity of that which has been narrated from him from the Messenger of Allāh on this subject. This is what a weak narrator strengthens. (44:1)

Moreover, he mentions, "In brief, a non Marfū' narration or a Marfū' narration that was superseded by another Marfū' narration is often preferred over its equivalent when it is supported by indications that it is authentically proven from the Prophet (peace and blessings be upon him) and continuously upon it.

This report is supported by the persistence of the Khulafā' and the Companions during the nights of Ramadān on the amount mentioned therein. We mentioned in the introduction that a Mursal report is weak according to al-Shāfi'ī and those who follow him. However, when it concurs with a statement of a Companion, it is taken as evidence according to everyone. Ibn al-Humām mentions this clearly in *Fath al-Qadīr*, wherein he states:

> The statement of al-Tirmidhī, "The practice of the people of knowledge is upon this" strengthens the origin even though the specific route is weak.

From the people of knowledge, who is more virtuous than the Companions? Then how could their practice not be a proof for the strength of the origin? Thus, the reality is that the report if it is not authentic, it is not less than a sound narration.

As for the statement "in addition to it conflicting with authentic narrations," we have already answered it by proving that the report only conflicts with authentic narrations according to Ibn al-Humām. This is because he interprets the statement

of 'Ā'ishah "he would not exceed eleven rak'āt in and out of Ramadān" on the entire prayer of the night, which is incorrect. Rather, the correct interpretation is that it refers to the entire amount of Tahajjud he would pray after waking up. We also proved that the interpretation of the narration of 'Ā'ishah made by Ibn al-Humām goes against the narrations that describe the additional exertion of the Prophet (peace and blessings be upon him) in Ramadān.

Thus, it is necessary to interpret the narration as we have done, by which there remains no conflict between the report of Ibn Abī Shaybah and the narration of 'Ā'ishah in Ramadān. Rather, the report of Ibn Abī Shaybah is in conformity with all the narrations of 'A'ishah that mention the exertion and extra prayer of the Prophet (peace and blessings be upon him) in Ramadān as distinguished from other months. Further, it is also supported by the persistence of the Khulafā' and Companions and their consensus on twenty rak'āt besides Witr in the nights of Ramadān. Which indication can be stronger than this to prove its authenticity?

In addition, the narrations of 'Ā'ishah that describe the prayer of the Prophet during the night appeared problematic to some scholars such that they have declared them inconsistent (*Muttarib*). Hāfiż Ibn Hajar mentions this, and we indicated towards in the chapter of witr. Thus, Abū Salamah narrated from her that he would not exceed eleven rak'āt in and out of Ramadān. Hishām ibn 'Urwah narrated from his father, from her that the Messenger of Allāh would pray thirteen rak'āt thereafter, he would pray two short rak'āt when he would hear the Adhān of Fajr. Narrated by al-Bukhārī, (*Fath al-Bārī* 37:3).

It is surprising that Ibn al-Humām employed the narration of 'Ā'ishah as evidence in spite of it conflicting with her other narration, yet he does not regard the report of Abū Shaybah suitable for evidence even though it conforms to the practice of the Sahābah, all the Imāms, and the majority of the Muslim ummah. Thus, the following statement of Ibn al-Humām is debunked:

> Assuming the absence of the excuse (i.e. fear of it becoming obligatory), it only shows that he was persistent on what had transpired and that is what we mentioned (i.e. eleven rak'āt). Accordingly, (performing) twenty (rak'āt) will be recommended whilst that amount (eleven) will be Sunnah.

In fact, it is more likely that had it not been for the excuse, he would have persisted on what the Khulafā' after him and the Sahābah persisted on, particularly when his

persistence on twenty is proven from the report of Ibn 'Abbās, which has a sound chain, as we have proven. Even if we accept that it (i.e. the report of Ibn 'Abbās) is weak, it gains strength by the practice of the Companions and the Khulafā'. Therefore, performing twenty rak'āt and witr in Ramadān is Sunnah Mu'akkadah, and the one who abandons it will be considered a deviant, and the one he is deficient in it will be reprimanded.

It cannot be said:

> 'Umar did not assemble the people upon twenty as an obligation, rather he assembled them upon the prayer of Ramadān allowing both eleven rak'āt and twenty-three rak'āt. This is based on what Mālik, Ibn Abī Shaybah, and Sa'īd ibn Mansūr narrate from Muhammad ibn Yūsuf, from al-Sā'ib ibn Yazīd that he said:
>
> 'Umar instructed Ubayy ibn Ka'b and Tamīm al-Dārī to lead the people in eleven rak'āt. The Qārī' would recite from *al-Mi'īn* until we would have to take support from sticks due to the length of standing. *'Āthār al-Sunan* (52:2).

This is because this report is inconsistent (*Muttarib*). The variations are from Muhammad ibn Yūsuf. Thus, Mālik in al-Muwattā', Yahyā al-Qattān in (*Musannaf*) Ibn Abī Shaybah, 'Abd al-'Azīz ibn Ahmad in (*Sunan*) Sa'īd ibn Mansūr narrate it as "eleven rak'āt." Muhammad ibn Nasr narrates it in *Qiyām al-Layl* from the route of Muhammad ibn Ishāq, from Muhammad ibn Yūsuf as "thirteen rak'āt." 'Abd al-Razzāq narrates it via another route from Muhammad ibn Yūsuf as "twenty-one rak'āt."

This is such a difference that it prevents the report from being used as evidence. Ibn 'Abd al-Barr mentions:

> Others besides Mālik have narrated this Hadīth with "twenty-one" and that is correct. I do not know of anyone who mentioned the Hadīth with "eleven rak'āt" besides Imām Malīk…According to me, most probably the words "eleven" is a mistake. *Al-Ta'līq al-Hasan* quoting from al-Zurqānī in the commentary of *al-Muwatta'*.

Mālik did not err in this because two others have corroborated him in it from Muhammad ibn Yūsuf, as he mentioned once, "twenty-one" and once, "eleven" and once, "thirteen." It is unnecessary and far-fetched to reconcile between them by

applying them to different states as al-Hāfiż and others mention, as the source is one, so how could it be correct to apply it to different states?

The preserved report (al-Mahfūż) is what Yazīd ibn Khusayfah narrates from al-Sā'ib ibn Yazīd, he said, "During the reign of 'Umar ibn al-Khattāb, in Ramadān, they would pray twenty rak'āt" as we mentioned in the text. Narrated by al-Bayhaqī and its chain is authentic. In *Fath al-Bārī*, al-Hāfiż ascribes it to Mālik as well (219:4) as there are many supporting narrations for it.

Mālik narrated from Yazīd ibn Rūmān that he said, "During the reign of 'Umar ibn al-Khattāb, in Ramadān, people would pray twenty-three rak'āt (i.e. alongside witr)" and its chain is a strong *Mursal*. It is narrated from Yahyā ibn Sa'īd that 'Umar ibn al-Khattāb ordered someone to lead them in twenty rak'āt of prayer" and its chain is a strong *Mursal*. It is narrated from 'Abd al-Azīz ibn Rufay' that he said, "In Madīnah, during Ramadān, Ubayy ibn Ka'b would lead the people in twenty rak'āt and would make three (rak'āt of) witr" and its chain is a strong *Mursal*. We mentioned all of this in the text.

Thus, the narration of Yazīd ibn Khusayfah from al-Sā'ib ibn Yazīd is stronger, better, and more preferred than the narration of Muhammad ibn Yusūf from him (i.e. al-Sā'ib ibn Yazīd), because Yazīd (ibn Khusayfah) did not differ in what he narrated from him as opposed Muhammad ibn Yūsuf as he has differed significantly.

Even if we accept the authenticity of 'Umar instructing Ubayy and Tamīm (Allāh be pleased with them) to lead the people in eleven rak'āt of prayer, there is no proof therein that 'Umar would give people the choice between eleven and twenty-three rak'āt. This is due to the possibility that 'Umar initially gave the order of eleven, because according to him more than that was not established from the Prophet, after which he gave the order of twenty besides witr, because of what was established according to him that in Ramadān, the Prophet would pray twenty rak'āt and witr.

If his instruction of eleven and twenty-three were optional, the option would have remained after him during the reign of 'Uthmān and 'Alī as well. However, it is not reported that they gave people that choice.

As for what Mālik narrates in *al-Muwatta'* from al-Araj' that he said, "I have only found the people cursing the disbelievers in Ramadān" and he said, "The Qāri'

would recite Sūrat al-Baqarah in eight rak'āt. When he would recite it in twelve rak'āt, people would assume that it was lightened." There is no mention therein that he would only pray eight rak'āt in one instance and twelve rak'āt in another instance. Rather, it only discusses the amount of recitation in the rak'āt of Tarāwīh, and that the Qāri' would recite Sūrat al-Baqarah and its like in eight rak'āt. There is absolutely no indication therein on the entire amount of rak'āt. It is possible that he would recite the amount of *al-Baqarah* only in the entire amount that was eight at one time and twelve at another time, or that he would recite the amount of al-Baqarah in eight rak'āt and would lighten the recitation after that in the remaining rak'āt from the twenty. When there exists the possibility of interpretation, the deduction of proof is invalid.

In *al-Mughnī*, al-Hāfiż ibn Qudāmah writes:

> The preferred view according Abū 'Abd Allāh (i.e. Imām Ahmad) in that is twenty rak'āt, and al-Thawrī, Abū Hanīfah, and al-Shāfi'ī hold this view as well.
>
> Mālik opines that it is thirty-six, and he claims that it is the earlier practice. He premises this on the practice of the people of Madīnah, as Sālih Mawlā al-Taw'amah said, "I found the people praying forty-one rak'āt, making five rak'āt witr from that."
>
> Our evidence is that when 'Umar assembled the people behind Ubayy ibn Ka'b he would lead them in twenty rak'āt. Narrated by Abū Dāwūd. Al-Sā'ib ibn Yazīd narrated it, and it is reported from him via several routes. Mālik narrates from Yazīd ibn Rūmān that, "During the reign of 'Umar, in Ramadān, people would pray twenty-three." It is narrated from 'Alī that he ordered to lead them in Ramadān in twenty-three rak'āt." This is similar to consensus.
>
> As for the narration of Sālih, Sālih is a weak transmitter. Moreover, we do not know the people to whom he is referring. Perhaps he found a group of people doing that, which cannot be taken as evidence. Even if it is proven that all the people of Madīnah would do that, still what 'Umar did and what the Companions have agreed upon in his time is more worthy to follow.
>
> Some people of knowledge say:

> The people of Madīnah only did this because they wanted an equivalent for the practice of the people of Makkah. Since the people of Makkah would perform tawāf seven times between two Tarwīhahs, the people of Madīnah would perform four rak'āt in place of seven rounds of tawāf.
>
> What the Companions have practiced upon is better and more worthy of being followed.

In *Fath al-Bārī*, al-Hāfiż mentions:

> Muhammad ibn Nasr narrates via the route of Dāwūd ibn Qays, he said, "During the rule of Abān ibn 'Uthmān and 'Umar ibn 'Abd al-'Azīz i.e. in Madīnah, I found the people praying thirty-six rak'āt and performing three rak'āt of witr.[4]
>
> It is narrated from al-Za'farānī from al-Shāfi'ī, "In Madīnah, I saw the people praying thirty-six rak'āt, and in Makkah, the people were praying twenty-three rak'āt. (220:4)

In brief, we have not come across a single report that they prayed less than twenty except what Muhammad ibn Yūsuf narrated. However, we mentioned the inconsistency in its text, and therefore there is no evidence in it. If eleven rak'āt was Sunnah and the remaining from the twenty was recommended as Ibn al-Humām claims, it would have been reported from the Salaf, and since that is not the case, this view is baseless and it contravenes consensus.

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[4] Shaykh (i.e. Mawlana Ashraf 'Ali Thanwī) mentions:
The objection of making an innovation in religion may be levelled against them, as peforming thirty-six raka'āt is not established from any f the Khulafā' and there is no such report from the Companions.
Thereafter, he answered:
Alāh knows best, perhaps they did not make a fixed amount, and they assumed that the Prophet encouraged the people to pray in Ramadān without fixed number of raka'āt. They considered the Khulafā's choice of twenty to have fallen under this general encouragement not because of twenty itself such that increasing it would be reprehensible. Thus, because of a particular wisdom, they choice thirty-six laboring under the impression that there is vastness in this regard.
As for us, we do not consider it possible to increase above twenty in a general congregation, and we allow it in other than a congregation, because congregation is from the landmarks, so it cannot be legislated unless there is a clear text or persistence from the Companions, and there is no text or persistence over twenty raka'āt in Ramadan.
As for their statement, "The Prophet encouraged praying in Ramadān without a fixed number," the answer is that he gave a general encouragement, and we are also of that opinin. However, he did not encourage it in congregation without a fixed number, so it is not permissible to pray it in congregation except with number with which it is mentioned in congregation. Allāh knows best.

The Continued Practice of the Khulafā'

As for the statement of some people:

> The statement of the author of *al-Hidāyah*, "The rightly-guided Khulafā' were persistent on it" is a clear mistake, as Abū Bakr never prayed twenty and he did not pray the actual Tarāwīh in congregation.

The answer is that the statement "The rightly-guided Khulafā' were persistent on it" refers to most cases (*fihī taghlīb*), as it does not refer to all of them, rather 'Umar, 'Uthmān, ad 'Alī. Ibn al-Humām mentioned this in *Fath al-Qadīr* (407:1).

As for his statement, "It is not proven from 'Umar and 'Uthmān that they prayed twenty in congregation" perhaps he intended to negate the persistence of the three Khulafā', and he intended to completely refute the author of *al-Hidāyah*. However, this stems from a misunderstanding, lack of deep thinking, and unfamiliarity with terminology of the jurists, as the persistence that gives the benefit of it being a Sunnah and emphasis is not restricted to physical persistence. Rather, it is of two types.

The first type is that wherein persistence is proven physically and practically, such as the persistence of the Prophet (peace and blessings be upon him) on congregation, Sunan Mu'akkadah etc. The second type is that wherein persistence is found as legislation by encouraging its continuous practice, such as Adhān and Iqāmah. The scholars have unanimously agreed that they are Sunnah knowing well that the Prophet (peace and blessings be upon him) did not give Adhān or Iqāmah himself unless it was uncommon, yet they regard it as Sunnah due to the Prophet legislating its persistence and continuity and encouraging it.

Just as the persistence of the Prophet is of two types, the persistence of the Khulafā' is also of two types, and each one of them give the benefit of Sunnah and emphasis. Bahr al-'Ulūm has clearly mentioned this in *Sharh al-Tahrīr*, and the statement of the theoreticians in numerous places prove this, as mentioned in the Fatāwā of 'Allāmah 'Abd al-Hayy (Allāh have mercy on him). (127:1 alongside *al-Khulāsah*)

After this, even if we accept that the three Khulafā' were persistence on twenty rak'āt in congregation, the most that can be proven is the negation of practical persistence from them. However, legislated persistence is proven from them, based on the reports we have just presented. Al-Hāfiż Ibn Qudāmah claims that they have agreed upon it, and he is evidence in transmission as it is evident to those who read

his biography. In addition, Imām Ahmad, Allāh have mercy on him, has affirmed that it is reported from 'Umar that he would pray in congregation. Imām Ahmad mentions, "Jābir, 'Alī, and 'Abd Allāh (Allāh be pleased with them) would pray it in congregation." We have mentioned this before quoting *al-Mughnī*, and the affirmation of Imām Ahmad is evidence.

Should it be prayed individually or in congregation?

Al-Shawkānī, who is a Hāfiż and Hujjah according to some people, mentions in *Nayl al-Awtār*:

> They have differed whether it is more virtuous to pray it alone in the home or in congregation in the Masjid. Al-Shāfi'ī, the majority of his students, Abū Hanīfah, Ahmad, some Mālikiyyah, and others are of the opinion that it is more virtuous to pray it in congregation, just as 'Umar ibn al-Khattāb and the Companions have done, and the practice of the Muslims have continued upon this, because it is from the apparent landmarks. (295:2)

This shows that 'Umar (Allāh be pleased with him) prayed it in congregation.

This is not in conflict with the report of Ibn Wahb from al-Layth, from Yahyā ibn Sa'īd that he was asked regarding the prayer of the Amīr behind the Qāri' and he replied, "It has not reached us that 'Umar and 'Uthmān (Allāh be pleased with them) would pray in Ramadān with the people" as mentioned in *al-Mudawwanah* (194:1). This because the report only negates them praying with the people behind the Qāri', but it is silent regarding them leading the people in prayer.

Furthermore, Yahyā ibn Sa'īd unawareness does not necessitate that others do not know it. Perhaps it reached Imām Ahmad that 'Umar (Allāh be pleased with him) would pray in congregation, like 'Alī, Jābir, 'Abd Allāh (Allāh be pleased with them) and it was authentic according to him, so he affirmed it. The persistence of one of the Khulafā' and the concurrence of the remaining Companions will suffice us in it being a Sunnah and emphasized.

Al-Bayhaqī narrates in his *al-Sunan*:

> Abu 'l-Husayn ibn al-Fadl al-Qattān informed us: Muhammad ibn Ahmad ibn 'Īsā ibn 'Abdaka al-Rāzī informed us: Abū 'Āmir 'Umar ibn Tamīm narrated to us: Ahmad ibn Abd Allāh ibn Yūnus narrated to us: Hammād ibn

> Shu'ayb narrated to us from 'Atā' ibn al-Sā'ib, from Abū 'Abd al-Rahmān al-Sulamī, from 'Alī, Allāh be pleased with him, he said:
>
> He summoned the reciters and instructed one of them to lead the people in twenty rak'āt. He said, "'Alī (Allāh be pleased with him) would perform witr with them," and it is narrated from 'Alī via a different route, as mentioned in *al-Ta'līq al-Hasan*. Al-Nīmawī mentions, "Hammād ibn Shu'ayb is a weak narrator (56:2). Thereafter, he quotes the statements of those who classified him as a weak narrator from *Mīzān al-I'tidāl*.

It is mentioned in *Lisān al-Mīzān*:

> Ibn 'Adī said, "Despite his weakness, his narrations will be written. In spite of this, al-Hākim narrated this in *al-Mustadrak*.

Therefore, the report is sound in addition to it being narrated via a different route as well. Furthermore, in it there is clear mention of 'Alī's instruction of twenty and an indication that he prayed with them, because he would perform witr with them.